

REMARKS/ARGUMENTS

Examiner J. Diaz is thanked for a complete search and thorough Office Action.

Reconsideration of the rejection of claims 18-19, 21, and 22 under 35 U.S.C. 103(a) as being unpatentable over Cheng, U.S. Patent No. 6,171,976 B1, in view of Applicant's admitted prior art is requested for the following reasons.

Claim 18 is currently amended to include the limitations of claim 21. Claim 21 is withdrawn. The Applicant's claim 18 now includes a phrase that limits the spacing between the semiconductor devices and the patterned fill layer to not greater than 2 micrometers. The Applicant's spacing is substantially less than Cheng's spacing of 10-20 micrometers. As the Examiner pointed out, the Applicant's claimed structure is a multilevel structure, while Cheng's structure is a single-level structure. The Applicant's structure is different from Cheng's structure and in view of Applicant's prior art, and therefore the Applicant's structure is non-obvious and patentable over Cheng.

Claims 19, 20, and 22 are dependent claims that do not stand on their own merits but support independent claim 18.

It is requested that Examiner Jose R. Diaz call the undersigned Attorney at 845-452-5863 should there be anything

that can be done to help bring this Patent Application to  
Allowance.

Respectfully submitted,



Stephen B. Ackerman

Reg. No. 37,761